

UNITED STATES OF AMERICA
EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION

UNITED STATES OF AMERICA,

Criminal Case No. 11-cr-20540

Plaintiff,

Honorable Gerald E. Rosen

vs.

D-13, HETAL BAROT,

Defendant.

/

PRELIMINARY ORDER OF FORFEITURE

WHEREAS, a First Superseding Indictment was issued in the United States District Court for the Eastern District of Michigan on May 2, 2012, which charged Defendant HETAL BAROT in Count One with violating 18 U.S.C. § 1349, Conspiracy to Commit Health Care Fraud;

WHEREAS, on June 26, 2012, Defendant HETAL BAROT entered into a Rule 11 Plea Agreement wherein he pled guilty to Count One of the First Superseding Indictment;

WHEREAS, in the Rule 11 Plea Agreement Defendant HETAL BAROT agreed, pursuant to 18 U.S.C. § 982(a)(7), to the entry of a forfeiture money judgment in the amount of Thirteen Million Eight Hundred Eighty Eight Thousand Nine Hundred Thirty Nine Dollars (\$13,888,939), which represents the total value of the property subject to forfeiture as a result of the offense described in Count One of the First Superseding Indictment, and that the United States agrees that defendant's liability for the forfeiture money judgment shall be joint and several with all other defendants convicted of violating Count One of the First Superseding Indictment;

WHEREAS, the Defendant also stipulated in his Rule 11 Agreement that the money judgment may be satisfied, to whatever extent possible, from any property owned or under the control of Defendant HETAL BAROT. To satisfy the money judgment, any assets that Defendant has now, or may later acquire may be forfeited as substitute assets under 21 U.S.C. § 853(p)(2), and defendant has waived and relinquished his rights to oppose the forfeiture of substitute assets under 21 U.S.C. § 853(p)(1) or otherwise.

NOW, THEREFORE, based upon the Indictment, Defendant's agreement to forfeiture, and other Information in the record:

IT IS HEREBY ORDERED THAT a forfeiture money judgment in the amount of Thirteen Million Eight Hundred Eighty Eight Thousand Nine Hundred Thirty Nine Dollars (\$13,888,939) is granted and entered against the Defendant, in favor of the United States of America, and that Defendant HETAL BAROT shall be jointly and severally liable for the full amount of the forfeiture money judgment with all other defendants convicted of violating Count One of the First Superseding Indictment;

IT IS FURTHER ORDERED that pursuant to Fed.R.Crim.P. 32.2(b)(4)(A) and (b)(4)(B) that this Preliminary Order of Forfeiture shall become final upon entry, be made part of Defendant's sentence and included in the judgment, and shall not be the subject of ancillary proceedings given that the forfeiture consists entirely of a money judgment;

IT IS FURTHER ORDERED that any unpaid balance of the money judgment may be satisfied through the forfeiture of any property of Defendant as substitute property by operation of 21 U.S.C. § 853(p)(1) and (p)(2); and

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IT IS FURTHER ORDERED that the Court shall retain jurisdiction to enforce this Order and to amend it as necessary pursuant to Fed.R.Crim.P. 32.2(e).

IT IS HEREBY ORDERED

Dated: December 11, 2012

S/Gerald E. Rosen
HONORABLE GERALD E. ROSEN
United States District Chief Judge